

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 13, 2011, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 3 and 5-10 are pending in this Application, where claims 1 and 7 are independent.

In the Final Office Action, claims 1-3, 5 and 7-10 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,213,536 (Futterer) and in view of U.S. Patent No. 5,701,673 (Ullmann). Further, claims 1-3, 5 and 7-10 are rejected under 35 U.S.C. §103(a) over Futterer in view of Ullmann and U.S. Patent No. 3,690,000 (Loner). Claims 1-3 and 5-10 are rejected under 35 U.S.C. §103(a) over Futterer in view of Ullmann or Loner and U.S. Patent No. 4,355,464 (Bergsma). These rejections are respectfully traversed. It is respectfully submitted that claims 1, 3 and 5-8 are patentable over Futterer, Ullmann, Loner and Bergsma for at least the following reasons.

Futterer is directed to dry shaver having a long hair cutter or trimmer 15 and a short hair cutter 16. As recited on column 3, lines 29-44 and line 75, upon or in response to reversing the rotation direction of a drive shaft 1, via a reversing switch 28, either the long or short hair cutters 15, 16 is driven. That is, driving the long or short hair cutters 16, 15 is

achieved by "rocking the switch 28 in the opposite switching position." (Futterer, column 4, lines 21-22) Further, in Futterer, the long hair cutter or trimmer 15 is not retractable and "has only one position, as correctly noted in the Office Action, on page 2, line 1 of the last paragraph.

Ullmann is directed to a dry shaving apparatus having a switch 4 with four positions, namely:

- a first OFF position as shown in FIG 2a;
- a first ON position as shown in FIG 3a, where the trimmer 7 is in a retracted position;
- a second ON position as shown in FIG 4a, where the trimmer 7 is in an extended or operating position; and
- a second OFF position as shown in FIG 5a, where the trimmer 7 is de-activated but remains in the extended position P, as shown in FIGs 1, 4a and 45.

That is, in the second OFF position shown in FIG 5a, the Ullmann trimmer 7 is turned **OFF** by the switch 4, but **REMAINS in the extended** position P. Thus, the Ullmann trimmer 7 clearly is not turned on or off, and no rotation reversing occurs "**in response** to an action of **moving the trimmer** between the retracted position and the extended position **using the operating member**," as recited in independent claim 1, and similarly recited in independent claim 7. Ullmann does not even disclose or suggest, and is completely silent about, any reversing device configured to reverse the drive direction.

Loner is directed to a dry shave appliance having a shaver part 1 composed of at least one long hair cutting part 2 with upper and lower cutters and a motor with a drive member. A lower cutter of either the shaver part 1 or the long hair cutting part 2 at any one time so that the entire motor output is available for driving only the shaver part 1 or the long hair cutting part 2. An operating element 122 moves the long hair cutting part 102 between retracted and extended positions. Loner is completely silent about any rotation reversing.

It is respectfully submitted that Futterer, Ullmann, Loner, and combination thereof do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 7 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the reversing means are **integrated** in the operating member and co-operate with the trimmer for **reversing** said sense of rotation **in response** to an action of **moving the trimmer** between the retracted position and the extended position using the operating member so that **when the trimmer is moved to the extended position**, the reversing means **reverses the sense of rotation** to the first sense of rotation for ending operation of the at least one cutter and **starting operation of the trimmer**, and **when the trimmer is moved to the retracted position**, the reversing means **reverses the sense of rotation to the second sense of rotation for ending operation of the trimmer and starting operation of the at least one cutter**.

**Reversing** means being **integrated** in an operating member to **move** a trimmer between the retracted position and the extended position **so that when the trimmer is moved to the extended position, the reversing means reverses** the sense of rotation to **the first sense of rotation for ending operation of the at least one cutter and starting**

operation of the trimmer, and when the trimmer is moved to the retracted position, the reversing means reverses the sense of rotation to the second sense of rotation for ending operation of the trimmer and starting operation of the at least one cutter, is nowhere disclosed or suggested in Futterer and Ullmann, alone or in combination. Rather, the trimmer in Futterer "has only one position," the Ullmann trimmer 7 clearly is not turned on or off, and no rotation reversing occurs in either Ullmann or Loner "in response to an action of moving the trimmer".

It is alleged that adding the Ullmann or Loner moveable switch or lever that moves the long hair trimmer between retracted and extended positions to the Futterer reversing switch 28 leads to having a switch that moves the trimmer to the extended position, and in response thereto, reverses rotation and starts operation of the trimmer. This allegation is respectfully traversed.

It is respectfully submitted that, at best, the combination of Futterer, Ullmann and Loner discloses or suggests one switch that extends the trimmer and another switch that reverses direction and operates a trimmer. An integrated switch that (1) moves the trimmer to the extended position, (2) reverses the drive direction, and (3) operates the trimmer, all in response to moving integrated switch from one position to another position, is nowhere disclosed or suggested in Futterer, Ullmann and Loner, alone or in combination.

It is respectfully submitted that such an integrated switch can only be arrived using the present application as a road map to reconstruct the present invention. Without using

the present application as a road map to reconstruct the present invention, and without the benefit of impermissible hindsight, one skilled in the art would not arrive in an obvious manner to "reversing means [that] are integrated in the operating member and co-operate with the trimmer for reversing said sense of rotation in response to an action of moving the trimmer between the retracted position and the operation extended position using the operating member so that when the trimmer is moved to the operation extended position, the reversing means reverses the sense of rotation to the first sense of rotation for ending operation of the at least one cutter and starting operation of the trimmer," as recited in independent claim 1, and similarly recited in independent claim 7. (Illustrative emphasis provided) Bergsma is cited to allegedly show other features and does not remedy the deficiencies in Futterer, Ullmann and Loner.


Accordingly, it is respectfully requested that independent claims 1 and 7 be allowed. In addition, it is respectfully submitted that claim 3, 5-6 and 10 should also be allowed at least based on their dependence from independent claims 1 and 7, as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support

of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present Application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
November 28, 2011

**THORNE & HALAJIAN, LLP**  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101